UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

In re: Case No: 14-33660

Louis Butler

Artie Mae Butler Chapter 13

Debtors Judge Humphrey

MOTION FOR MODIFICATION OF PLAN

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting that relief without further hearing or notice.

The debtors move to modify the plan. A plan has been confirmed.

Date petition filed: 10/14/2014 Date of last modification: n/a

Date plan confirmed: 01/02/2015 Date last modification confirmed: n/a

Monthly Plan Payments: Current: \$847.00 Proposed: \$755.00

If the plan changes the monthly payments, amended Schedules I and J are attached.

Percent to Unsecured Creditors: Current: 1% Proposed: 0%

Length of Plan (months): Current: 60 Proposed: 60

Proposed Effective Date: when approved

Reason for the modification, including any changes in circumstances since last plan:

Debtors' budget is strained and Debtors are facing a potential loss of income in the near future. Wage earner is 70 and continued employment at the current level is not possible.

Counsel may make separate application for additional attorney fees as provided by LBR 2016-1.

Respectfully Submitted,

/s/ Richard E. West, Esq. Richard E. West, Esq. Attorney for Debtor Ohio Bar No. 0033319 rew@debtfreeohio.com 195 East Central Avenue Springboro, Ohio 45066 Phone: 937-748-1749 Fax: 937-748-9552

NOTICE

The above-captioned Debtor has filed papers with the Court to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief sought in the Motion, then on or before **twenty-one** (21) days from the date set forth in the CERTIFICATE OF SERVICE for the Motion, you must file with the Court a Response explaining your position by mailing your Response by regular U.S. Mail to: U.S. Bankruptcy Court, 120 West Third Street, Suite 100, Dayton, Ohio 45402. Alternatively, your attorney must file a response using the court's ECF System.

The court must **receive** your Response on or before the above deadline.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

U.S. Trustee, 170 North High Street, Suite 200, Columbus, Ohio 45202
Jeffrey Kellner, Chapter 13 Trustee, 131 North Ludlow Street, Suite 900, Dayton, Ohio 45402
Richard E. West, 195 East Central Avenue, Springboro, Ohio 45066
Louis Darnel and Artie Mae Butler, Post Office Box 3624, Dayton OH 45401

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting that relief without further hearing or notice.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on **December 14, 2015** a copy of the forgoing **MOTION FOR MODIFICATION OF PLAN** was served upon the following registered ECF participants, **electronically** through the Court's ECF System at the email address registered with the Court:

- Asst US Trustee (Day) USTPRegion09.CB.ECF@usdoj.gov
- Adam Bradley Hall amps@manleydeas.com
- Jeffrey M Kellner ecfclerk@dayton13.com, onelook@dayton13.com
- Raymond J Pikna rjpikna@woodlamping.com, jlhamilton@woodlamping.com

and on the following by **ordinary U.S. Mail** addressed to:

Louis Darnel and Artie Mae Post Office Box 3624 Dayton OH 45401

All Creditors on the attached Creditor Matrix.

/s/ Richard E. West, Esq. Richard E. West, Esq.

0648-3 Case 3:14-bk-33660 Southern District of Ohio Dayton Thu Dec 10 09:14:36 EST 2015

Ohio Department of Taxation 150 East Gay Street, 21st Floor Columbus, OH 43215-3191

Alliance One Attn: Bankruptcy Po Box 2449 Gig Harbor, WA 98335-4449

American InfoSource LP as agent for T MobileTMobile USA Inc PO Box 248848 Oklahoma City OK 731248848

Capital 1 Bank Attn: General Correspondence Po Box 30285 Salt Lake City, UT 84130-0285

Ccrservices P O Box 32299 Columbus, OH 43232-0299

Check Into Cash 3283 West Siebenthalec Ave Dayton, OH 45406-1825

Comenity Bank/OneStopPlus.com Attention: Bankruptcy Po Box 182686 Columbus, OH 43218-2686

Comenity Bank/jssclndn Po Box 182789 Columbus, OH 43218-2789

(p) INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA PA 19101-7346

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Label Matrix for local noticing Capital Capi Docur Hentinanc Page 4 of 11 c/o Ascension Capital Group

PO Box 201347 Arlington, TX 76006-1347

AT & T U Verse PO Box 6414 Carol Stream, IL 60197-6414

American General Financial/Springleaf Fi Springleaf Financial/Attn: Bankruptcy De Po Box 3252 Evansville, IN 47731-3252

Asst US Trustee (Day) Office of the US Trustee 170 North High Street Suite 200 Columbus, OH 43215-2417

Capital One Auto Finance 3905 N Dallas Pkwy Plano, TX 75093-7892

Ccs/first Savings Bank 500 East 60th St N Sioux Falls, SD 57104-0478

Check n Go 4141 N Main St Dayton, OH 45405-1622

Comenity Bank/Roamans Attn: Bankruptcy P.O. Box 182686 Columbus, OH 43218-2686

Consumer Portfolio Svc Attn:Bankruptcy 19500 Jamboree Rd Irvine, CA 92612-2401

(p) DIRECTV LLC ATTN BANKRUPTCIES PO BOX 6550 GREENWOOD VILLAGE CO 80155-6550 PO Box 1109 Minneapolis, MN 55440-1109

Acs/dept Of Ed C/o Acs Utica, NY 13501

American InfoSource LP as agent for DIRECTV LLC PO Box 51178 Los Angeles CA 900515478

Cap One Po Box 30253 Salt Lake City, UT 84130-0253

Capital One Auto Finance, c/o Ascension Capi P.O. Box 201347 Arlington, TX 76006-1347

Chase Po Box 24696 Columbus, OH 43224-0696

Checksmart 5521 Salem Ave. Dayton, OH 45426-1451

Comenity Bank/Woman Within Attention: Bankruptcy Po Box 182686 Columbus, OH 43218-2686

Credit One Bank Po Box 98873 Las Vegas, NV 89193-8873

EMERGENCY PROF SVCS, INC. PO Box 1109 Minneapolis MN 55440-1109 Billing Center

PO Box 740021 Cincinnati, OH 45274-0021

FNCC/Legacy Visa Attn: Bankruptcy Po Box 5097

Sioux Falls, SD 57117-5097

First Premier Bank 3820 N Louise Ave Sioux Falls, SD 57107-0145

GRANITE STATE MANAGEMENT & RESOURCES THE DEPARMENT OF EDUCATION PO BOX 3420 CONCORD NH 03302-3420

Greater Cincinnati Credit Union 2721 Central Pkwy Cincinnati, OH 45225-2350

LVNV Funding, LLC its successors and assigns assignee of FNBM, LLC Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587

National Auto Finance 200 Renaissance Ctr Detroit, MI 48243-1300

Ohio Department of Taxation Bankruptcy Division P.O. Box 530 Columbus, OH 43216-0530

Premier Bankcard/Charter P.O. Box 2208 Vacaville, CA 95696-8208

Quantum3 Group LLC as agent for Comenity Bank PO Box 788 Kirkland, WA 98083-0788

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Dispute Resolution Dept

PO Box 740241 Atlanta, GA 30374-0241

Fed Loan Serv Po Box 60610 Harrisburg, PA 17106-0610

Fsb Blaze 500 E. 60th Street Sioux Falls, SD 57104-0478

Global Payment Check PO Box 661158 Chicago, IL 60666-1158

JP Morgan Chase Bank Attn: Bankruptcy Po Box 15298 Wilmington, DE 19850-5298

Locate Services LLC PO Box 307167 Gahanna, OH 43230-7167

Ndc Ck Svc Po Box 661158 Chicago, IL 60666-1158

Ohio Income Tax PO Box 182131 Columbus, OH 43218-2131

Premier Health Good Samaritan Hospital PO Bo 183132 Columbus, OH 43218-3132

Receivables Performanc 20816 44th Ave Wes Lynnwood, WA 98036-7744 Legal Department Supervisor PO Box 2002 Allen, TX 75013-2002

Fed Loan Serv Po Box 69184 Harrisburg, PA 17106-9184

GLOBAL PAYMENTS INC PO BOX 661158 CHICAGO IL 60666-1158

Gm Financial Po Box 181145 Arlington, TX 76096-1145

(p) JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302-7999

NCP Finance Ohio LLC 205 Sugar Camp Circle Dept CNG Dayton, OH 45409-1970

Nhhelc/qsm&r Po Box 3420 Concord, NH 03302-3420

(p) PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 41067 NORFOLK VA 23541-1067

Premier Health Miami Valley Hospital PO Box 932715 Cleveland, OH 44193-0015

Security Nat Auto Acce 6951 Cintas Blvd Mason, OH 45040-8923

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P 0 BOX 3251 EVANSVILLE IN 47731-3251

(p) S BINCLEAN ENANCIAL Page 6 of 11

C O WEINSTEIN AND RILEY, PS

2001 WESTERN AVENUE, STE 400 SEATTLE, WA 98121-3132

Td Bank Usa/targetcred 3701 Wayzata Blvd Minneapolis, MN 55416-3401 The Ohio Bell Telephone Company % AT&T Services, Inc Karen Cavagnaro, Paralegal One AT&T Way, Room 3A104 Bedminster, NJ 07921-2693

TransUnion Dispute Resolution Center PO Box 2000 Chester, PA 19016-2000

U.S. Department of Education C/O FedLoan Servicing P.O. Box 69184 Harrisburg PA 17106-9184

US ATTORNEY OFFICE 200 W SECOND ST #602 DAYTON OH 45402-1480

Us Dept Of Education Attn: Bankruptcy Po Box 16448 Saint Paul, MN 55116-0448

Wells Fargo Bank, N.A. One Home Campus Attention: Payment Processing MAC # Des Moines IA 50328-0001

(p) WELLS FARGO BANK NA WELLS FARGO HOME MORTGAGE AMERICAS SERVICING ATTN BANKRUPTCY DEPT MAC X7801-014 3476 STATEVIEW BLVD FORT MILL SC 29715-7203

World Financial Network National Bank Wfnnb Po Box 182686 Columbus, OH 43218-2686

(p) WRIGHT PATT CREDIT UNION 3560 PENTAGON BLVD BEAVERCREEK OH 45431-1706

Artie Mae Butler 2374 Rustic Road Dayton, OH 45406-2136 Jeffrey M Kellner 131 N Ludlow St Suite 900 Dayton, OH 45402-1161

Louis Darnel Butler 2374 Rustic Road Dayton, OH 45406-2136 Richard E West 195 E Central Avenue PO Box 938 Springboro, OH 45066-0938

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Department of Treasury Internal Revenue Services PO Box 802501 Cincinnati, OH 45280

Direct TV PO Box 6414 Carol Stream, IL 60197-6414

Jefferson Capital Systems 16 Mcleland Rd Saint Cloud, MN 56303

(d) Jefferson Capital Systems LLC Po Box 7999 Saint Cloud Mn 56302-9617

Portfolio Recovery Associates, LLC POB 41067 Norfolk VA 23541

Springleaf Financial Po Box 3251 Evansville, IN 47731

(d) Springleaf Financial Services P.O. Box 3251 Evansville, IN 47731-3251

Wells Fargo Hm Mortgag 8480 Stagecoach Cir Frederick, MD 21701

(d) Wells Fargo Home Mortgage 8480 Stagecoach Cir Frederick, MD 21701

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Fairborn, OH 45324

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Wells Fargo Bank, N.A. End of Label Matrix

Mailable recipients 76
Bypassed recipients 1
Total 77

Fill in this information	to identify your case:	
Debtor 1	Louis Darnel Butler	
Debtor 2 (Spouse, if filing)	Artie Mae Butler	
United States Bankru	uptcy Court for the: SOUTHERN DISTRICT OF OHIO	
	:14-bk-33660	Check if this is:
(If known)		An amended filing
		A supplement showing postpetition chapter 13 income as of the following date:
Official Forn	<u>n 106l</u>	MM / DD/ YYYY

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

١.	Fill in your employment information.		Debtor 1	Debtor 2 or non-filing spouse
	If you have more than one job,	Employment status	☐ Employed	■ Employed
	attach a separate page with information about additional	Employment status	■ Not employed	☐ Not employed
	employers.	Occupation	Retired	Client Advocate
	Include part-time, seasonal, or self-employed work.			St Vincent DePaul Gateway
		Employer's name		Shelters
	Occupation may include student	Francisco e del con		4400 Edudio O Manas Blad
	or homemaker, if it applies.	Employer's address		1133 Edwin C Moses Blvd Ste 300
				Dayton, OH 45402
		How long employed to	here?	4 yr 6 mo

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filling spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.

- 3. Estimate and list monthly overtime pay.
- 4. Calculate gross Income. Add line 2 + line 3.

iling spouse	non-f			
1,936.13	\$	0.00	\$_	2.
0.00	+\$_	0.00	+\$_	3.
1,936.13	\$	0.00	\$	4.

For Debtor 1 For Debtor 2 or

Official Form 106I Schedule I: Your Income page 1

Debt		Louis Darnel Butler Artie Mae Butler	_	Ca	se number (<i>if known</i>)	3:1	14-bk-33660		
				F	or Debtor 1		or Debtor 2 or on-filing spou		
	Сор	y line 4 here	4.	\$	0.00	\$	1,936		
5.	List	all payroll deductions:							
	5a. 5b.	Tax, Medicare, and Social Security deductions Mandatory contributions for retirement plans	5a. 5b.	\$ \$		\$ \$	219 0	.35	
	5c.	Voluntary contributions for retirement plans	5c.	\$	0.00	\$	0	.00	
	5d. 5e.	Required repayments of retirement fund loans Insurance	5d. 5e.	\$ \$		\$ \$	0 329	.00	
	5f.	Domestic support obligations	5f.	\$		\$.00	
	5g.	Union dues	5g.	\$		\$.00	
	5h.	Other deductions. Specify: life insurance	5h.+			+ \$.70	
		dental insurance		\$		\$.92	
•		HSA		\$		\$.33	
6. -		the payroll deductions. Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	6.	\$	0.00	\$	692		
7.		culate total monthly take-home pay. Subtract line 6 from line 4.	7.	\$	0.00	\$	1,243	.24	
8.	List 8a.	all other income regularly received: Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total	0.0	¢.	0.00	¢	0	.00	
	8b.	monthly net income. Interest and dividends	8a. 8b.	\$ \$		\$ \$.00	
	8c.	Family support payments that you, a non-filing spouse, or a dependen regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.		\$	0.00	\$.00	
	8d.	Unemployment compensation	8d.	φ \$		\$.00	
	8e.	Social Security	8e.	\$		\$.00	
	8f.	Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: SS income for son	e 8f.	\$	211.00	\$	0	.00	
	8g.	Pension or retirement income	8g.	\$		\$.00	
	8h.	Other monthly income. Specify:	8h.+	- \$	0.00	+ \$	0	.00	
9.	Add	all other income. Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9.	\$_	1,977.19	\$		0.00	
10.		culate monthly income. Add line 7 + line 9. the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10. \$		1,977.19 + \$	1	= \$	3	,220.43
11.	Inclu othe	e all other regular contributions to the expenses that you list in Schedul ude contributions from an unmarried partner, members of your household, your friends or relatives. not include any amounts already included in lines 2-10 or amounts that are no cify:	ır deper		•	-			0.00
12.		the amount in the last column of line 10 to the amount in line 11. The ree that amount on the Summary of Schedules and Statistical Summary of Certiles						3	,220.43
								nbine	
13.	Doy	you expect an increase or decrease within the year after you file this form	n?				mo	iitniy I	ncome
		No. Yes. Explain: Debtors anticipate no changes in income over r	0 V £ 1 2) pro	onths				
	ш	Yes. Explain: Debtors anticipate no changes in income over r	ICAL IZ	. 111	onuis.				

Fill	in this information to identify your case:				
Deb	tor 1 Louis Darnel Butler		Check	c if this is:	
	Louis Darrier Butter			an amended filing	
Deb	tor 2 Artie Mae Butler		<i>/</i>	Supplement show	ving postpetition chapter
(Spo	buse, if filing)		1	3 expenses as of	the following date:
Unit	ed States Bankruptcy Court for the: SOUTHERN DISTRICT OF OHIO		N	MM / DD / YYYY	
Cas	e number 3:14-bk-33660				
(If k	nown)				
O	fficial Form 106J				
S	chedule J: Your Expenses				12/15
Be info	as complete and accurate as possible. If two married people ar primation. If more space is needed, attach another sheet to this inber (if known). Answer every question.				
Par					
1.	Is this a joint case? No. Go to line 2.				
	Yes. Does Debtor 2 live in a separate household?				
	·				
	■ No □ Yes. Debtor 2 must file Official Form 106J-2, <i>Expenses</i>	s for Separate Househo	old of Debt	or 2.	
2.	Do you have dependents? □ No				
	Do not list Debtor 1 and Debtor 2. Fill out this information for each dependent	Dependent's relations Debtor 1 or Debtor 2	ship to	Dependent's age	Does dependent live with you?
	Do not state the				□ No
	dependents names.	Son		16	Yes
					□ No
		-			☐ Yes
					□ No
					☐ Yes ☐ No
					☐ Yes
3.	Do your expenses include ■ No				□ Tes
	expenses of people other than yourself and your dependents?				
Par					
exp	imate your expenses as of your bankruptcy filing date unless y senses as of a date after the bankruptcy is filed. If this is a supp plicable date.				
Incl	lude expenses paid for with non-cash government assistance i	f you know			
the	value of such assistance and have included it on <i>Schedule I:</i> \\frac{1}{2} ficial Form 106I.\)			Your expe	enses
4.	The rental or home ownership expenses for your residence. In payments and any rent for the ground or lot.	nclude first mortgage	4. \$		800.00
	If not included in line 4:				
	4a. Real estate taxes		4a. \$		0.00
	4b. Property, homeowner's, or renter's insurance		4b. \$		0.00
	4c. Home maintenance, repair, and upkeep expenses		4c. \$		0.00
E	4d. Homeowner's association or condominium dues Additional mortgage payments for your residence, such as ho	man annitus la con	4d. \$		0.00
5	ACCUMULATION OF THE DAVIDEOUS FOR VOIL RESIDENCE SHOW AS NO	THE ENTIRY INDIRE			

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Debtor Debtor		Case num	ber (if known)	3:14-bk-33660
S. Ut	ilities:			
6a		6a.	\$	200.00
6b		6b.	\$	50.00
6c		6c.		143.00
6d		6d.		0.00
	od and housekeeping supplies	7.	\$	450.00
	ildcare and children's education costs	8.	\$	0.00
	othing, laundry, and dry cleaning	9.	\$	75.00
	rsonal care products and services	10.	\$	40.00
	edical and dental expenses	11.	·	72.00
	ansportation. Include gas, maintenance, bus or train fare.		· -	
	not include car payments.	12.	\$	200.00
. Er	tertainment, clubs, recreation, newspapers, magazines, and books	13.	\$	0.00
. Cł	naritable contributions and religious donations	14.	\$	300.00
	surance.			
	not include insurance deducted from your pay or included in lines 4 or 20.			
_	a. Life insurance	15a.		0.00
	b. Health insurance	15b.		0.00
	c. Vehicle insurance	15c.	*	135.00
	d. Other insurance. Specify:	15d.	\$	0.00
	xes. Do not include taxes deducted from your pay or included in lines 4 or 20.	40	•	
	ecify:	16.	\$	0.00
	stallment or lease payments: a. Car payments for Vehicle 1	17a.	¢	0.00
	• •	17a. 17b.	·	0.00
	b. Car payments for Vehicle 2		·	0.00
	c. Other Specify:	17c.	·	0.00
	d. Other. Specify:	17d.	Ф	0.00
	our payments of alimony, maintenance, and support that you did not report a ducted from your pay on line 5, Schedule I, Your Income (Official Form 106I)		\$	0.00
	her payments you make to support others who do not live with you.	•	\$	0.00
	ecify:	19.		0.00
	her real property expenses not included in lines 4 or 5 of this form or on Sci		our Income.	
	a. Mortgages on other property	20a.		0.00
20	b. Real estate taxes	20b.	\$	0.00
20	c. Property, homeowner's, or renter's insurance	20c.		0.00
20	d. Maintenance, repair, and upkeep expenses	20d.	\$	0.00
	e. Homeowner's association or condominium dues	20e.	\$	0.00
. Ot	her: Specify:	21.	· ·	0.00
			*	2.00
	lculate your monthly expenses			
	a. Add lines 4 through 21.		\$	2,465.00
22	b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2	!	\$	
22	c. Add line 22a and 22b. The result is your monthly expenses.		\$	2,465.00
<u></u>	deulate your monthly not income			
	a. Copy line 12 (your combined monthly income) from Schedule I.	23a.	e	2 220 42
	b. Copy your monthly expenses from line 22c above.		·	3,220.43 2,465.00
23	b. Copy your monthly expenses from line 220 above.	23b.	-φ	∠,400.00
23	c. Subtract your monthly expenses from your monthly income.			
23		23c.	\$	755.43
	The result is your monthly net income.	23c.	\$	755

☐ No.

Yes.

Explain here: Debtors anticipate a monthly rental expense due to surrendering real estate. This estimated amount is listed on line 4 of this schedule.